

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

Defendant.

REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY IN A FELONY CASE

The defendant, by consent, has appeared before me pursuant to Rule 11, Fed. R. Crim. P., and has entered a plea of guilty to an Indictment charging him with Alien Smuggling, in violation of 8 U.S.C. § 1324(a)(2)(B)(iii), 18 U.S.C. § 2, 6 U.S.C. §§ 251 and 557. After examining the defendant under oath, I have determined that the defendant is fully competent and capable of entering an informed plea, that the guilty plea was intelligently, knowingly and voluntarily made, and that the offense charged is supported by an independent basis in fact establishing each of the essential elements of such offense. I therefore recommend that the plea

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1 of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed
2 accordingly.

3 IT IS SO RECOMMENDED.

4 DATED this 2nd day of January 2007.

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8 JOAQUIN V.E. MANIBUSAN, JR.
United States Magistrate Judge

9 **NOTICE**

10 **Failure to file written objections to this Report and Recommendation within**
11 **ten (10) days from the date of its service shall bar an aggrieved party from**
12 **attacking such Report and Recommendation before the assigned United States**
13 **District Judge. 28 U.S.C. § 636(b)(1)(B).**
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